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PATENT DEPARTMENT  
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In re Patent No. 7,241,899 : JUN 02 2008  
Issued: July 10, 2007 :  
Application No. 10/805,724 : ~~PATENT TERM ADJUSTMENT~~  
Filed: March 22, 2004 :  
Dkt. No.: LD0283 DIV 1 :  
:

This is a decision on the "PETITION TO CORRECT PATENT TERM ADJUSTMENT PERIOD IN GRANTED PATENT UNDER 37 C.F.R. §§ 1.181 & 1.705," filed September 10, 2007. This matter is being properly treated as an application for patent term adjustment pursuant to 37 CFR 1.705(d).

The application for patent term adjustment ("PTA") under 37 CFR 1.705(d) is **GRANTED TO THE EXTENT INDICATED HEREIN.**

The above-identified application matured into U.S. Patent No. 7,241,899 on July 10, 2007. The instant request for reconsideration was timely filed in accordance with 37 C.F.R. § 1.705(d). The patent issued with a PTA of 169 days. Patentees argue that the patent is entitled to an adjustment of 310 days.

Patentees do not contest the adjustments totaling 517 days for Office delays. Patentees do not contest the reduction of seven days or two days.

Patentees contest the reduction of 120 days, arguing that the proper period of adjustment in connection with the substitute declaration submitted September 27, 2006 is 29 days on page one of the application for PTA and 28 days on page five of the application for PTA.

A review of the record reveals that the proper reduction under 37 CFR 1.704(c)(10) is 30 days. The reduction commenced September 27, 2006, the date the substitute declaration was filed, and ending October 26, 2006, the date the Office communication in response thereto was mailed.

Patentees further contest the reduction of 49 days in connection with the receipt of issue fee payment on December 13, 2006.

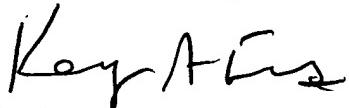
A review of the record reveals that the correct reduction in connection with the submission of the petition to revive and the issue fee payment on December 13, 2006 is 170 days. In accordance with 37 CFR 1.704(c)(3)(ii), the reduction began October 26, 2006 (the date of abandonment/day after the date that the issue fee was due) and ended April 13, 2007, the date that is four months after the date that a grantable petition to revive was filed.

Accordingly, at the time of issuance, the application was entitled to a patent term adjustment of 308 days (overall adjustment of 517 days for Office delays reduced 209 days for applicants' delays).

Receipt is acknowledged of the required PTA application fee of \$200.00.

This application file will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 308 days.

Telephone inquiries specific to this matter may be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.



Kery Fries  
Senior Patent Attorney  
Office of Patent Legal Administration  
Office of Deputy Commissioner  
for Patent Examination Policy

Enclosure: Draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT : 7,241,899 B2  
DATED : July 10, 2007  
INVENTOR(S) : Benigni, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b)  
by 169 days

Delete the phrase "by 169 days" and insert – by 308 days--

Day : Thursday  
Date: 5/29/2008

Time: 14:16:12

**PALM INTRANET**

| PTA Calculations for Application: 10/805724 |            |                         |     |
|---|------------|-------------------------|-----|
| Application Filing Date:                    | 03/22/2004 | PTO Delay (PTO):        | 517 |
| Issue Date of Patent:                       | 07/10/2007 | Three Years:            | 0   |
| Pre-Issue Petitions:                        | 0          | Applicant Delay (APPL): | 348 |
| Post-Issue Petitions:                       | 0          | Total PTA (days):       | 308 |
| PTO Delay Adjustment:                       | 139        |                         |     |

**File Contents History**

| Number | Date       | Contents Description  | PTO | APPL | START |
|--------|------------|---|-----|------|-------|
| 62     | 05/29/2008 | ADJUSTMENT OF PTA CALCULATION BY PTO  | 139 |      |       |
| 61     | 05/29/2008 | ADJUSTMENT OF PTA CALCULATION BY PTO  | 417 |      |       |
| 60     | 05/29/2008 | ADJUSTMENT OF PTA CALCULATION BY PTO  |     | 278  |       |
| 59     | 05/29/2008 | ADJUSTMENT OF PTA CALCULATION BY PTO  |     | 139  |       |
| 55.5   | 06/20/2007 | PTA 36 MONTHS   |     |      |       |
| 55     | 07/10/2007 | PATENT ISSUE DATE USED IN PTA CALCULATION                                       | 88  |      | 51    |
| 54     | 06/01/2007 | EXPORT TO FINAL DATA CAPTURE  |     |      |       |
| 53     | 05/31/2007 | DISPATCH TO FDC   |     |      |       |
| 52     | 05/30/2007 | APPLICATION IS CONSIDERED READY FOR ISSUE                                       |     |      |       |
| 51     | 12/13/2006 | ISSUE FEE PAYMENT VERIFIED  |     | 49   | 37    |
| 50     | 05/24/2007 | MAIL-RECORD PETITION DECISION OF GRANTED TO ACCEPT DELAYED PAYMENT OF ISSUE FEE |     | 170  | 37    |
| 49     | 12/13/2006 | PETITION ENTERED  |     |      |       |
| 48     | 12/13/2006 | ISSUE FEE PAYMENT RECEIVED  |     |      |       |
| 47     | 12/05/2006 | FINISHED INITIAL DATA CAPTURE   |     |      |       |
| 46     | 12/11/2006 | MAIL ABANDONMENT FOR FAILURE TO PAY ISSUE FEE                                   |     |      |       |
| 45     | 12/11/2006 | ABANDONMENT FOR FAILURE TO PAY ISSUE FEE  |     |      |       |
| 44     | 09/25/2006 | INFORMATION DISCLOSURE STATEMENT CONSIDERED                                     |     |      |       |
| 43     | 10/26/2006 | MAIL RESPONSE TO 312 AMENDMENT (PTO-271)  |     |      |       |
| 42     | 10/25/2006 | RESPONSE TO AMENDMENT UNDER RULE 312  |     |      |       |
| 41     | 09/27/2006 | SUPPLEMENTAL PAPERS - OATH OR   | 120 |      | 43    |

| DECLARATION |            |   |     |   |    |
|-------------|------------|---|-----|---|----|
| 40.7        | 09/25/2006 | INFORMATION DISCLOSURE STATEMENT (IDS) FILED                    |     | 2 | 43 |
| 40          | 09/25/2006 | INFORMATION DISCLOSURE STATEMENT (IDS) FILED                    |     |   |    |
| 39          | 09/18/2006 | AMENDMENT AFTER NOTICE OF ALLOWANCE (RULE 312)                  |     | 7 | 43 |
| 38          | 07/28/2006 | EXPORT TO INITIAL DATA CAPTURE                                  |     |   |    |
| 37          | 07/25/2006 | MAIL NOTICE OF ALLOWANCE  | 429 |   | -1 |
| 36          | 07/21/2006 | NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED                 |     |   |    |
| 35          | 07/21/2006 | ISSUE REVISION COMPLETED  |     |   |    |
| 34          | 07/21/2006 | NOTICE OF ALLOWABILITY  |     |   |    |
| 33          | 04/12/2004 | INFORMATION DISCLOSURE STATEMENT CONSIDERED                     |     |   |    |
| 32          | 05/01/2006 | IFW TSS PROCESSING BY TECH CENTER COMPLETE                      |     |   |    |
| 31          | 06/15/2004 | PRELIMINARY AMENDMENT   |     |   |    |
| 30          | 04/12/2004 | REFERENCE CAPTURE ON IDS  |     |   |    |
| 29          | 04/12/2004 | INFORMATION DISCLOSURE STATEMENT (IDS) FILED                    |     |   |    |
| 28          | 05/01/2006 | CASE DOCKETED TO EXAMINER IN GAU                                |     |   |    |
| 27          | 03/13/2006 | APPLICATION RETURN FROM OIPE                                    |     |   |    |
| 26          | 03/14/2006 | APPLICATION IS NOW COMPLETE                                     |     |   |    |
| 25          | 03/13/2006 | APPLICATION RETURN TO OIPE                                      |     |   |    |
| 24          | 03/13/2006 | APPLICATION RETURN FROM OIPE                                    |     |   |    |
| 23          | 03/13/2006 | APPLICATION IS NOW COMPLETE                                     |     |   |    |
| 22          | 06/15/2004 | ADDITIONAL APPLICATION FILING FEES                              |     |   |    |
| 21          | 06/07/2004 | PRE-EXAM OFFICE ACTION WITHDRAWN                                |     |   |    |
| 20          | 07/14/2004 | MAIL-RECORD PETITION DECISION OF GRANTED RELATED TO FILING DATE |     |   |    |
| 19          | 06/15/2004 | PETITION ENTERED  |     |   |    |
| 18          | 06/29/2004 | PRE-EXAM OFFICE ACTION WITHDRAWN                                |     |   |    |
| 17          | 06/29/2004 | APPLICATION RETURN TO OIPE                                      |     |   |    |
| 16          | 06/29/2004 | APPLICATION RETURN FROM OIPE                                    |     |   |    |
| 15          | 06/29/2004 | APPLICATION IS NOW COMPLETE                                     |     |   |    |
| 12          | 06/07/2004 | NOTICE OF INCOMPLETE APPLICATION - FILING DATE NOT ASSIGNED     |     |   |    |
| 11          | 06/07/2004 | PRE-EXAM OFFICE ACTION WITHDRAWN                                |     |   |    |
| 10          | 06/07/2004 | APPLICATION RETURN TO OIPE                                      |     |   |    |

|   |            |                                      |  |  |  |
|---|------------|--------------------------------------|--|--|--|
| 9 | 06/05/2004 | APPLICATION RETURN FROM OIPE         |  |  |  |
| 8 | 06/07/2004 | APPLICATION IS NOW COMPLETE          |  |  |  |
| 7 | 06/05/2004 | APPLICATION RETURN TO OIPE           |  |  |  |
| 6 | 06/05/2004 | APPLICATION DISPATCHED FROM OIPE     |  |  |  |
| 5 | 06/07/2004 | APPLICATION IS NOW COMPLETE          |  |  |  |
| 4 | 04/16/2004 | CLEARED BY OIPE CSR                  |  |  |  |
| 3 | 04/16/2004 | CASE CLASSIFIED BY OIPE              |  |  |  |
| 2 | 04/03/2004 | IFW SCAN & PACR AUTO SECURITY REVIEW |  |  |  |
| 1 | 03/22/2004 | INITIAL EXAM TEAM NN                 |  |  |  |

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#### EXPLANATION OF PTA CALCULATION

#### EXPLANATION OF PTE CALCULATION

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**From**

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

**To**

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
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| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 |    |    |    |    |

Day of Year: 2006 270      Today      Day of Year: 2006 299      Today

**Differences**

Enter a number of DAYS (such as 7 or -7) or MONTHS (such as 60 or -60) relative to the "From" Calendar. Press ENTER and the result appears in the "To" Calendar.

**DAYS**  
29

**WHOLE MONTHS**  
1

Type Days or Months value, then press ENTER

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